

§ 151.07

the Atlantic Ocean within the boundary constituted by the 30° N parallel from Florida eastward to 77°30' W meridian, thence a rhumb line to the intersection of 20° N parallel and 59° W meridian, thence a rhumb line to the intersection of 7°20' N parallel and 50° W meridian, thence a rhumb line drawn southwesterly to the eastern boundary of French Guiana.

(b) Special areas for the purpose of Annex I of MARPOL 73/78 include those referenced in §151.13. Special areas for the purposes of Annex II of MARPOL 73/78 include those referenced in §151.32. Special areas for the purpose of Annex V of MARPOL 73/78 include those referenced in §151.53.

[CGD 94-056, 60 FR 43377, Aug. 21, 1995]

§ 151.07 Delegations.

Each Coast Guard official designated as a Captain of the Port (COTP) or Officer in Charge, Marine Inspection (OCMI) or Commanding Officer, Marine Safety Office (MSO), is delegated the authority to—

(a) Issue International Oil Pollution Prevention (IOPP) Certificates;

(b) Detain or deny entry to ships not in substantial compliance with MARPOL 73/78 or not having an IOPP Certificate or evidence of compliance with MARPOL 73/78 on board;

(c) Receive and investigate reports under §151.15; and

(d) Issue subpoenas to require the attendance of any witness and the production of documents and other evidence, in the course of investigations of potential violations of the Act to Prevent Pollution from Ships, as amended (33 U.S.C. 1901-1911), this subpart, or MARPOL 73/78.

[CGD 88-002, 54 FR 18404, Apr. 28, 1989, as amended by CGD 88-002A, 55 FR 18582, May 2, 1990]

§ 151.08 Denial of entry.

(a) Unless a ship is entering under force majeure, no oceangoing tanker or any other oceangoing ship of 400 gross tons or more required by §151.10 to retain oil, oil residue, or oily mixtures on board while at sea, and no oceangoing ship carrying a Category A, B, or C NLS cargo or NLS residue in cargo tanks that are required to be

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prewashed under 46 CFR Part 153, may enter any port or terminal under §158.110(a) of this chapter unless the port or terminal has a Certificate of Adequacy, as defined in §158.120 of this chapter.

(b) A COTP may deny the entry of a ship to a port or terminal under §158.110(b) if—

(1) The port or terminal does not have a Certificate of Adequacy, as required in §158.135 of this chapter; or

(2) The port or terminal is not in compliance with the requirements of Subpart D of Part 158.

[CGD 88-002, 54 FR 18404, Apr. 28, 1989, as amended by USCG-2000-7641, 66 FR 55570, Nov. 2, 2001]

OIL POLLUTION

SOURCE: Sections 151.09–151.25 appear by CGD 75-124a, 48 FR 45709, Oct. 6, 1983, unless otherwise noted.

§ 151.09 Applicability.

(a) Except as provided in paragraph (b) of this section, §§151.09 through 151.25 apply to each ship that—

(1) Is operated under the authority of the United States and engages in international voyages;

(2) Is operated under the authority of the United States and is certificated for ocean service;

(3) Is operated under the authority of the United States and is certificated for coastwise service beyond three nautical miles from land;

(4) Is operated under the authority of the United States and operates at any time seaward of the outermost boundary of the territorial sea of the United States as defined in §2.05-10 of this chapter; or

(5) Is operated under the authority of a country other than the United States while in the navigable waters of the United States, or while at a port or terminal under the jurisdiction of the United States.

(b) Sections 151.09 through 151.25 do not apply to—

(1) A warship, naval auxiliary, or other ship owned or operated by a country when engaged in noncommercial service;

(2) A Canadian or U.S. ship being operated exclusively on the Great Lakes